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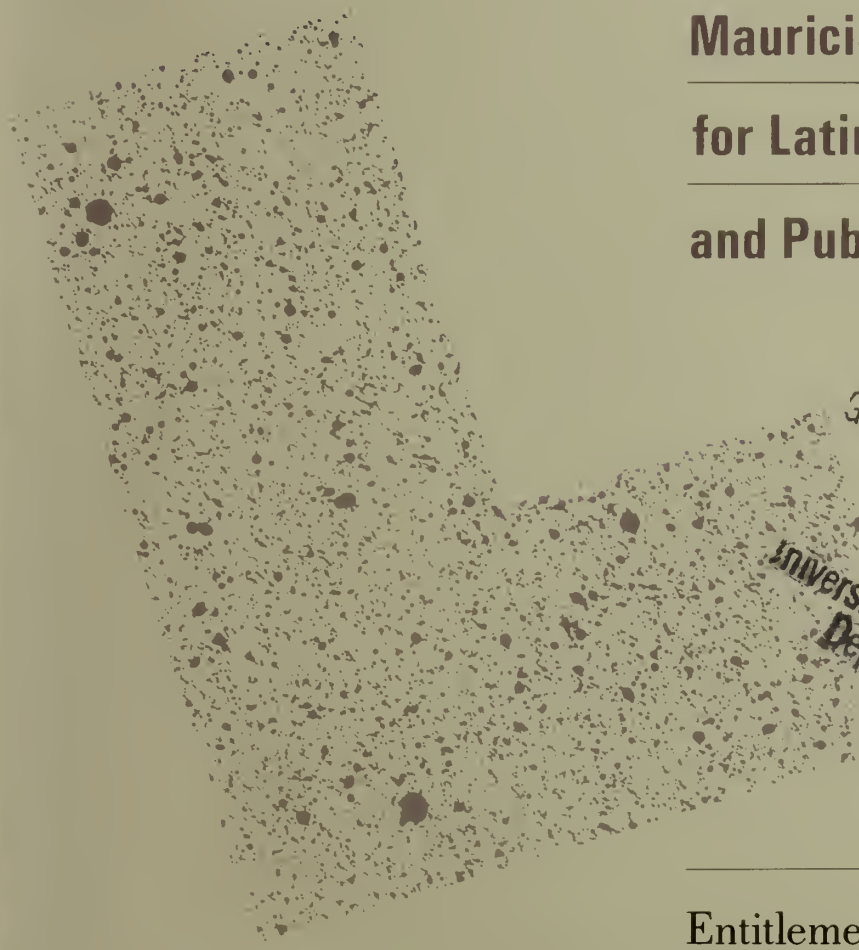

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## Entitlements of Latino Students in the Massachusetts Public Educational School System: Some Legal and Policy Considerations

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Mauricio Gastón Institute for
Latino Community Development and Public Policy

# ENTITLEMENTS OF LATINO STUDENTS IN THE MASSACHUSETTS PUBLIC EDUCATIONAL SYSTEM: SOME LEGAL AND POLICY CONSIDERATIONS

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## EXECUTIVE SUMMARY

The purpose of this paper is: to analyze important issues on the entitlements that are supposed to guarantee equal educational opportunity rights for Latino students in Massachusetts public schools; to review policy debates on these issues, and to recommend areas for research.

The primary interest is to reveal specific areas where these entitlements could be expanded, where the limits lie, and where further research and litigation are needed. The authors emphasize how locally organized and sustained Latino parental and student initiatives can play a crucial role. They believe the debate over providing equal educational opportunities should concentrate on: the limited access Latino parents have to the school decision-making processes, the curriculum planning and development, and to disciplinary actions; the assessment practices (tracking) that stigmatize Latino students, and the teaching practices and curriculum that are not culturally relevant, are not addressing specific cultural needs, or incorporating our cultural strengths.

This paper analyzes areas where legal mandates or entitlements are intended to benefit Latino students in Massachusetts. It makes recommendations for further research and for legal or advocacy efforts. Attention is limited to three main areas: bilingual education, parental involvement, and restructuring.

The essential guarantee to quality educational practices to students of limited English proficiency has been the courts and the legislatures. They developed the legal standards to evaluate school districts that service this particular student population.

Bilingual education has aroused heated debates since its enactment in 1968. They have covered issues of educational effectiveness, political power and social status. The complex issues have four main explanations: 1) The goals of bilingual education law were never clear: To ease transition to English or to maintain of minority languages? 2) The increasing number of immigrants has been interpreted as a threat to unity in this country because of the erroneous belief that newcomers are not willing to learn English. 3) Bilingual education programs have caused schools to change administrative and educative patterns that historically served an exclusively majority White, middle-class student population. The changes are unwelcomed because of the apparent extra work for school staff, and because of a lack of direct benefits to the majority school population. 4) Bilingual education theory and research has challenged notions strongly held about language. The studies on second language learning and the advocacy for a multilingual society have exposed the common myths and the ignorance of Americans on linguistic issues.

In Massachusetts, the most recent debates have been spurred by the English-Only movement and the introduction of bills that advocate the elimination of bilingual education. Since the early 1980s, there have been continued legislative threats against bilingual education. Some of the arguments stem from a misguided interpretation of research. Moreover, many Hispanic students attend woefully inadequate schools without additional services. To place blame for these events at the door of bilingual education, while arguing that the goal of the program is to develop English-language skills, stretches credibility.

Many practitioners would argue that although bilingual educational practice is based on sound theory and research, its implementation lacks effectiveness in many cases. And in recent years, Massachusetts has begun to implement programs that follow a different model, one that emphasizes the integration of students, teachers and curriculum to learn each other's languages, and to work academically in both languages. The implementation of this model represents the true spirit of bilingual education — for all members of society rather than for minorities alone. It may be the only model that places both groups at the same starting point and thus sensitizes English speakers to the complex process of learning a second language and becoming more aware of other systems of thought. One of the best settings for educating any pupils is a school in which two languages are used without apology and where becoming proficient in both is considered a significant intellectual and cultural achievement.

What is recommended for Massachusetts? Studies that could:

- identify the general support levels (i.e. level of understanding of bilingual education, prejudices against minority groups and immigrants) and suggest ways of improving support for bilingual education. Similar studies have been done nationwide;
- document the quality of implementation of programs here;
- show how we are training future teachers to work with the increasing numbers of language minority and immigrant students both in bilingual and regular programs;
- examine restructuring efforts to identify practices (such as tracking and lowered teacher expectations) that stigmatize Latino children classroom research is urgently needed to document inequalities in methods and curriculum as well as the role of Latino communities in schools. Who benefits from restructuring? Do restructured schools respond better to our communities? Do they break down the barriers between schools and parents?
- test the application of the theory of cultural discontinuities (that vast differences between home culture and school cultures bring incompatible forces to bear on education) with Latino children
- identify a curriculum that is in harmony with the culture of our students, and on methods of teaching that are consistent with how our children relate, and thus learn.

Schools that are successful at raising student academic achievement have clear goals that everyone supports and works toward. The goal of restructuring is to get parents and staff, in conjunction with the administrators, to develop a sense of ownership of school programs.

Many of the problems facing Latino students in Massachusetts schools are within the existing authority of the law. Addressing these problems would not require new outpouring of federal monies or new legislation. Continuing these problems will, in the long run, cost us all a great deal more, beginning with the loss of opportunity and hope for our children and community.

## INTRODUCTION

The purpose of this paper is threefold: to analyze and review important issues on the entitlements that are supposed to guarantee equal educational opportunity rights for Latino students in the Massachusetts public educational system; to review policy debates on these issues; and to recommend areas for future research and policy analysis. Our primary interest is to reveal specific areas where these entitlements could be expanded, where the limits lie, and where there is need for further advocacy, research and litigation. We emphasize how locally organized Latino parental and student initiatives can play a crucial role in this endeavor.

The reflections we share are the result of an active and direct contact with a substantial number of Latino parent organizations (Bilingual Education Parent Advisory Councils, Parents United for the Education of Others (PUEDO), Latino and other parent groups who aim to reduce dropouts among Latino students, and groups confronting the lack of bilingual special education services. Our reflections are augmented by a critical review of the literature in each of the areas, and by our own work and experiences in schools.

We are convinced that long-term efforts to improve the education of Latino students depend on the sustained activation of Latino parents to a comprehensive effort to reform the educational environment in which learning occurs. We believe it is essential to concentrate the present debate of how to provide equal educational opportunities to Latino students on the following issues: a) the limited access Latino parents have to the school decision-making processes, the curriculum planning and development, and to disciplinary actions; b) the assessment practices (tracking) that stigmatize Latino students, and c) the teaching practices and curriculum that are not culturally relevant to our population, are not addressing specific cultural needs, or incorporating our cultural strengths.

This paper analyzes various areas in which legal mandates or entitlements are intended to benefit Latino students enrolled in the Massachusetts public educational system. We describe some of those mandates and discuss the benefits and limitations for our population. We make recommendations for further research and for possible legal or advocacy efforts. Our attention is limited to three main areas: bilingual education, parental involvement and restructuring. All three areas are essential elements of a comprehensive school-reform process that will reverse the current cycle of failure, frustration and eventual dropping out.

There is some overlapping of topics and issues in the different areas: the legal aspect, the policy debate and the further research agenda. There is also some overlapping between the themes: bilingual education, parental involvement and restructuring. Nevertheless, we hope this can be part of our contribution — to bring together many variables as part of a complex set of interactive factors.

## THE CONTEXT

The educational status of Latinos in the U.S. demands immediate attention by educators and policy makers. Of all children attending public school in 1988, 10.5 percent were Latino. For every 10 Latino students who graduated from high school, six other Latinos dropped out. Comparatively, the rates for Black students are 10 graduates to 3 student dropouts, for White students the rates are 10 graduates to 2 dropouts.[1] Dropping out of school occurs at an earlier age for Latinos — sometimes as early as their sophomore year. Latino students (ages 12-15) are also more likely to be two or more grades behind in school, 2.5 times more likely than White students.[2] Recent U.S. Department of Education figures indicate that only 33 percent of children ages 5-14, who are limited English proficient, receive bilingual education, ESL, or some other kind of special language services in school.[3]

Nationwide, over 70 percent of Latino youth attend predominantly minority schools. While attending an all-minority school is not itself problematic, the situation is complicated when most of those schools are in poor socioeconomic class neighborhoods within large urban centers. In the northeast, the Latino population is concentrated within urban communities, thus most Latino children attend urban schools. One survey of northeast Latino leaders found that the most critical educational needs identified by Massachusetts Latino leaders was the reduction of our escalating dropout rate, and the promotion of higher daily attendance rates for our students.[4]

In Boston Public Schools, the district-wide dropout rate for all students for 1988 was 37.2 percent, but for Latinos in 1985: 49.9 percent, 1986: 49.1 percent, 1987: 53.8 percent and 1988: 48.5 percent.[5] For 1988 almost half of all Latino students left school without graduating. In 1988-89, Latino students also suffered the highest non-promotion rates in the city within six different grade levels. For example, in the 1987-88 school year 28.6 percent of all ninth grade Latino children were held back.[6] There exists a direct correlation between non-promotion and dropping out, according to Daniel French of the state Department of Education. Statewide, students who are not promoted one grade have a 40 percent chance of leaving school. For the students who are retained two or more years, there is a 90 percent chance they will drop out of school.[7] The high rates of non-promotion for Latino youth may be one reason why 54 percent of the Latino students who entered the ninth grade in 1983 in the Boston Public Schools left school before graduation.

Our students are also tracked into lower grade level classes to a greater degree than all other groups. In high school, Latinos are placed more often in basic courses instead of at-grade courses. In Boston "for example, 40.9 percent of Latino ninth graders were placed in Basic Math 1 or 2."[8] This insidious local practice has national ramifications: 75 percent of all Latino high school seniors "have been placed in curricular programs that make a college education improbable."[9]

In Massachusetts, federal Chapter 1 funds are systematically denied to language minority children by virtue of a state Department of Education policy that directly conflicts with federal law. Under this policy, for example, a local school district will not be allowed to use Chapter 1 funds for supplemental instruction of a educationally disadvantage Latino immigrant child unless that child already is proficient in English.

In general, Federal Chapter 1 requirements also prohibit day-to-day school practices that frustrate the purpose of Chapter 1, and that are prevalent in a large number of school districts throughout the Commonwealth:

A. Many schools fail to provide continuing ESL assistance to Latino students who have been mainstreamed out of bilingual programs, or who were never in such programs in the first place.

B. There is a lack of bilingual guidance counselors and other support personnel who understand the language and culture of Latino students and who can discuss their needs with parents.

C. Latino students who need supplemental tutoring or instruction are labeled as "learning disabled" and referred to special education classes that ignore the language and culture of the student.

D. There is a lack of training of ESL teachers. Around 70 percent of the ESL teachers in this state are undertrained as a result of state policy. Some have no training.

E. A pattern exists of providing unequal and second-class facilities to bilingual or ESL classes. The standard practice in this state is to allocate the more desirable classroom space to "regular" classes first. Bilingual programs go to basements, hallways, closets or other less desirable facilities, sending a strong message of inferiority to Latino students.

F. The substance and content of bilingual curriculum continues to be inadequate for the higher order skills required by Chapter 1. The curriculum is often repetitive and remedial in nature. We know of students who come to this state having taken trigonometry, for example, and are placed in basic math courses.

G. Bilingual education programs are systematically underfunded through a generalized school district practice of siphoning state funds earmarked for bilingual education and using the for mainstream students or governmental services. For example, Chelsea spent around $1,000 less for each student registered in the Bilingual Program in 1988, even though the schools received 40 percent more from the state Department of Education. Over time this has added up to millions of dollars diverted from the education of Latino students in that town alone.

H. Latino students routinely receive more and longer suspensions in some schools for relatively minor infractions. One student in Lynn was suspended on the first day he arrived in this country because he was late to class. This is reflective of racist attitudes by some educators that Latinos are troublemakers who do not want to be in school in the first place.

A three-pronged approach is necessary for Latino students: 1) make lasting and in-depth reforms to improve the quality of education, 2) develop comprehensive efforts to retain students, including programs that combine services (individual tutorials, counseling, referrals to outside agencies, part-time job placements) and, 3) involve parents and communities more in the decision-making process of schools.

## BILINGUAL EDUCATION

While several educational models for bilingual/bicultural educational programs emerged in the early 1960s and federal funding for the implementation of those models was enacted in 1968, the first state law mandating any form of bilingual education came in Massachusetts in 1971, the Transitional Bilingual Education Act. Massachusetts enacted legislation on bilingual education more than two years before the U.S. Supreme Court decision in Lau v. Nichols.

### A. Legal Entitlements

The essential guarantee to quality educational practices to students of limited English proficiency has been the courts and the legislatures. They developed the legal standards to evaluate school districts that service this particular student population.

Under the 14th Amendment to the Constitution, "No state shall...deny to any person within its jurisdiction the equal protection of law." This clause has been the foundation for the litigation of most bilingual education cases, but the courts have held consistently that "denial of bilingual education is not in violation of the equal protection clause."[11] Legislative acts such as Title VI of the Civil Rights Act of 1964 (42 USC sec. 2000 (d) (1976)), the Equal Educational Opportunity Act of 1974 (20 sec. 1703 (f) (1982)), and desegregation efforts, i.e. Kayes v. School District No. 1, 670 F. Supp. 1513 (1987)), are the principal legal basis for the courts mandating bilingual education.

The social consciousness of the civil rights movement that brought about legal and political changes (primarily focused on Blacks) in the early 1960s did not address the problems faced by linguistic minorities. Although several models for bilingual educational programs emerged in the early 1960s and federal funding for the implementation of these models was enacted in 1968, the first state law mandating any form of bilingual education was not enacted until this state's act in 1971.

The federal legislation enacted in 1968 only provided funding for educational models and not for district-wide programs.[12] The proscription of discrimination in federal assistance programs by Title VI of the Civil Rights Act of 1964, as applied to education equality for linguistic minority children, was enforced for the first time in the Supreme Court decision of Lau v. Nichols in 1974.

Lau v. Nichols (414 US 563 (1974)) is considered a landmark case in the education of limited-English-proficient (LEP) students because it exposed the educational practices of a particular school district as discriminatory against students who do not speak English as a first language, and it questioned the equal educational opportunities available to LEP students in federally assisted programs. In the Lau case, it was undisputed that there were almost 2,800 Chinese children attending the San Francisco Unified School System that did not speak, understand, read or write the English language. The Supreme Court decided that under Title VI of the Civil Rights Act, "there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education."[13]

Furthermore, the Supreme Court held that the Department of Health, Education and Welfare (HEW) had the authority to require that school districts receiving Federal funds, "must take affirmative steps to rectify the language deficiency in order to open its instructional program to (LEP) students."[14] Following that decision, HEW issued in 1975 guidelines for minimum compliance with the requirements of the Lau decision. These are commonly known as the Lau Guidelines or Lau Remedies and are summarized below:

A. School districts, if found in noncompliance with Title VI need to submit remedial plans that detail procedures to identify the students' primary home language, classify each student into one of five "Lau Categories" regarding language dominance, and assess the student's linguistic proficiency and academic achievement level in order to "prescribe an educational program utilizing the most effective teaching style to satisfy the diagnosed educational needs."[15]

B. The course offering should not be culturally biased. The contributions of minority peoples should be expressed in the curriculum.

C. Teachers and instructional staff are required to be "linguistically\culturally familiar with the background of the students to be affected."

D. The student\teacher ratio has to be equal or less than the ratio found in the district.

E. It is not educationally necessary nor legally permissible to create racially\ethnically identifiable schools or classes to implement these programs.

F. Parents of children whose primary language is not English are to be informed of all school programs and activities to the same extent that other parents are informed of these programs. When necessary, appropriate translations are to be provided.

G. Specific descriptions are to be given to parents regarding the Transitional Bilingual Education Act or other program assistance the school district offers.

H. School districts have to submit periodic reports to the Office of Civil Rights of the Department of Health, Education and Welfare (OCR/HEW) concerning the implementation and the effectiveness of their remediation plans in eliminating language barriers.[16]

Nine regional assistance centers, known as National Origin Discrimination Assistance Centers, were created to provide technical assistance to school districts in complying with Title VI.

The Lau guidelines or remedies were the legal standards used by the courts to evaluate the soundness of particular bilingual programs before 1981. In many cases the courts frequently imposed remedies providing some form of the transitional bilingual model (or the court imposed a parallel state model if one existed through state legislation). "One of the first acts of the Reagan Administration in January 1981 was to revoke the Lau Guidelines."[17] In more recent cases, Castaneda v. Pickard (648 f 2d 989 1981), the courts have used a three-part test to evaluate a program under s 1703 (f) of the EEOA instead of the Lau Guidelines. The test requires answering the following questions: Is the program based on educational theory recognized as sound or at least as a legitimate experimental strategy by some of the experts in the filed? Is the program reasonably calculated to implement that theory? Has the program, after being used for a sufficient time to afford it a legitimate trial, produced satisfactory results?[18]

Thus, in recent years the courts have been reluctant to impose specific educational remedies. There is a willingness to give more flexibility to particular school districts to choose educational programs that fit their needs. But as Rom (1985) warns, "...these recent decisions are putting school districts on notice; while they are being given the responsibility and authority they long for, they will be held accountable for producing results...."[19]

In Massachusetts, the Transitional Bilingual Education Act (TBE) of 1971 requires the following:

A. Any school system in Massachusetts with 20 or more children of a particular non-English language group "incapable of performing ordinary classwork in English" should be provided with instruction in their dominant language while teaching them English. The law also provides for instruction in the children's background. The programs required are intended to be "transitional" in the sense that a pupil is to exit after three years or when "he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given in English, whichever comes first."[20]

B. The law requires that the school set up a Parent Advisory Committee to increase parent participation in the school, and the creation of a committee composed of representatives from the school administration, the TBE and the Parent Advisory Committee to evaluate the program on an annual basis.[21]

### B. Policy Debates

Bilingual education has aroused heated debates since its enactment in 1968.[22] They have covered issues of educational effectiveness, political power and social status. The complex issues and the passionate discussions about bilingual education have four main explanations: 1) The goals of bilingual education law were never clear. He questions whether bilingual education "was intended to ease transition to English or to encourage the maintenance of minority languages."[23] 2) The increasing number of immigrants in recent years has been interpreted as a threat to the cultural, societal and political unity of this country because of the erroneous, yet common, belief that newcomers do not know and are not willing to learn English. 3) The implementation of bilingual education programs has caused schools to change administrative and educative patterns that historically served an exclusively majority White, middle-class student population. The changes are unwelcomed because of the apparent extra work for school staff, and because of a lack of direct benefits to the majority school population. 4) Bilingual education theory and empirical research has challenged notions strongly held by people in the United States about language and language learning. The studies on second language learning and the advocacy for a multilingual society that are embedded within bilingual education have exposed the common myths and the ignorance of Americans, even within educational circles, on linguistic issues.

In Massachusetts, the most recent debates about bilingual education have been spurred by the actions of the English-Only movement and the introduction of bills that advocate the elimination of bilingual education. Crawford's explanation of the origins of the English-Only ideology in the United States is helpful in order to understand the growth of this restrictive movement in Massachusetts, and the rationale used to attack bilingual education and immigrant rights in general:

> The English-Only movement, an outgrowth of the immigration-restrictionist lobby, has skillfully manipulated language as a symbol of national unity and ethnic divisiveness. Early in this century, those who sought to exclude other races and cultures invoked claims of Anglo-Saxon superiority. But in the 1980s, explicit racial loyalties are no longer acceptable in our political discourse. Language loyalties, on the other hand, remain largely devoid of associations with social injustice. While race is immutable, immigrants can and often do exchange their mother tongue for another. And so, for those who resent the presence of Hispanics and Asians, language politics has become a convenient surrogate for racial politics.[24]

From the beginning of the 1980s there have been continued legislative threats against bilingual education in this state. Some of the arguments against bilingual education stem from a misguided interpretation of research and its use by policy makers, educators and politicians. Bilingualism, it is argued, is a detriment to children's development and prevents non-English speaking children from achieving their academic potential. Some critics interpret the research to mean that there is insufficient evidence about bilingual education to conclude that it is superior to other methods. The high dropout rates of Latinos and their low academic achievement are believed to be signs that bilingual education is not working. Other arguments concern the manner in which bilingual education programs are implemented in schools: It is believed that bilingual education programs often foster separatism in schools and that teachers in bilingual programs often do not speak English well enough. These teachers, the argument goes, by teaching exclusively in the native language, do not promote the learning of English.

What does the research tell us about bilingualism, academic achievement of Latinos, and effectiveness of programs? Crawford (1989) and Secada (1990) analyze the implications of the existing educational research and differentiate evaluation research from basic research. Evaluation research refers to studies that compare bilingual education programs to alternative programs. This research attempts

to establish the effectiveness of bilingual models in comparison to other educational models. On the other hand, basic research "uses empirical data to confirm or reject theories about why LEP students succeed or fail in school. How factors like age, minority status and native-language proficiency affect the process of acquiring English. And how linguistic development interacts with cognitive development."[25]

Evaluation research has not been successful in answering the question of effectiveness, according to Crawford (1989) and Secada (1990), because in most instances the studies have been poorly conceived and executed. In some cases, the programs have been poorly implemented. The conclusion drawn by the leadership of the U.S. Department of Education during much of the 1980s was that since the evaluation research evidence was inconclusive in proving bilingual education's effectiveness, therefore the department should not mandate by law a particular method -- bilingual education -- that has not been proven effective.

Secada (1990) and Crawford (1989) argue that although evaluation research has failed to be conclusive, basic research has shown positive results. Basic research has provided data on the benefits of bilingualism and on the conditions where it can be best promoted. Crawford (1989) cites the findings of the basic research of Hakuta and Snow that contradict misconceptions about bilingualism. Hakuta and Snow have evidence that supports the following hypotheses:

A. Early childhood is not the optimum age to acquire a second language; older children and adults are more often efficient language learners. Thus the sense of urgency in introducing English to non-English speaking children and the concern about postponing children's exit from bilingual programs are misplaced.

B. Language is not a unified skill, but a complex configuration of abilities.... Language used for conversational purposes is quite different from language used for school learning, and the former develops earlier than the latter.

C. Because many skills are transferable to a second language, time spent learning in the native language...is not lost in developing English, or other subjects. To the contrary, a child with a strong foundation in the first language will perform better in English in the long term.

D. Reading should be taught in the native language, particularly for children who, on other grounds, run the risk of reading failure. Reading skills acquired in the native language will transfer readily and quickly to English, and will result in higher ultimate reading achievement in English.

E. There is no cognitive cost in the development of bilingualism in children. Very possibly, bilingualism enhances children's thinking skills.[26]

Similarly, since the 1960s, studies by Peal and Lambert (1962)[27] and Hakuta (1984, 1985, 1986)[28] have shown positive consequences of bilingualism for linguistic and cognitive development. The findings of these studies contradict earlier research of a majority of educational psychologists that regarded bilingualism as a liability for young children. These earlier studies have been criticized for their poor design and possible anti-immigrant biases that were prevalent at that time.[29]

Additional criticism of bilingual education blames the use of bilingual education for the high Latino dropout rate. Secada (1990) writes,

> Bilingual education is a small program, as William Bennett's own data demonstrate, more Hispanics were served through Title I and Chapter I. Moreover, even larger numbers of Hispanic students attend woefully inadequate schools without additional services. To place blame for these events at the door of bilingual education, while arguing that the goal of the program is to develop English-language skills, stretches credibility.[30]

Crawford believes that although sufficient research exists to disprove the criticism hurled at bilingual education, it has been ignored by policy makers and politicians who prefer to "keep within the bounds of evaluation research, where the case for bilingual education is weaker, where the findings are more qualified and where discussion is more useful to politicians than to educators."[31]

### Problems of Implementation

Many practitioners would argue that although bilingual educational practice is based on sound theory and research, its implementation lacks effectiveness in many cases. These practitioners see a need to identify problems of implementation, so that effective solutions can be incorporated and programs can truly achieve the goals of the philosophy. Although separatism does exist in some schools with bilingual education, it would be wrong to interpret that this is promoted by the bilingual education philosophy. Charles Glenn (1990) gives two possible reasons for the separation that exists in some bilingual education programs:

> Programs controlled by educators who do not understand or sympathize with the goals of bilingual education tend to become a form of remedial instruction. Such programs have few educational expectations other than to develop English-language skills to the point that will permit survival in a 'mainstream' class, but not the development of the pupil's full potential.
>
> Programs directed by strong advocates of bilingual education place a much more positive emphasis upon the home language of the children. However, many programs keep linguistic minority children separate from other children far too long.[32]

Therefore, there is a need to identify solutions for the cases where administrator and teachers, because of a lack of understanding, do not promote integration between students and teachers in bilingual and mainstream classes. In this regard Glenn (1990) states "studies of language acquisition stress the importance of using language with peers in activities designed to promote cooperation and reduce anxiety. Real proficiency in the use of English may never be acquired without deliberate efforts to promote integration and the interaction it encourages."[33] Glenn recommends more efficient integration of bilingual program into the life of the school. Further, since the basic erroneous premise posits bilingual education as a remedial program that "overcome[s] a deficiency in limited English proficient children...,[educators mistakenly believe the children's] real education will begin when they are mainstreamed."[34]

### Current Trends

In recent years, Massachusetts has begun to implement programs that follow a different model than the widely used TBE. The model emphasizes the integration of students, teachers and curriculum to learn each other's languages, and to work academically in both languages. This model is known in Massachusetts, as Two-Way programs. In other states, it is known as Maintenance program, while the U.S. Department of Education refers to it as Developmental programs.

The implementation of this model represents the true spirit of bilingual education -- "bilingual education for all members of society, rather than for minorities alone."[35] Ovando and Collier (1985) state that "it is the only model that places both groups at the same starting point and thus sensitizes English speakers to the complex process of learning a second language and becoming more aware of other systems of thought."[36] Glenn (1990) states that, "the best setting for educating linguistic minority pupils -- and one of the best for educating any pupil -- is a school in which two languages are used without apology and where becoming proficient in both is considered a significant intellectual and cultural achievement."[37]

In Massachusetts, the Rafael Hernandez School in Dorchester has been a two-way bilingual school since the 1970s. In Chelsea, the Shurtleff Elementary School has followed an integrated bilingual model in which both languages are used for instruction, but only linguistic minority students are expected to become proficient in both languages. The goal of the school is to integrate the bilingual and regular curricula, the teachers and the students. Other elementary schools, such as the Blackstone and the Hurley in Boston, are planning pilot programs using integration and two-way models.

### C. Further Research

Studies that could identify the general support levels (i.e. level of understanding of bilingual education, prejudices against minority groups and immigrants), and the factors that influence the support levels, and suggest ways of improving support for bilingual education are necessary to design policy for the future of bilingual education in Massachusetts. Similar studies have been done already nationwide.[38] In this state, studies are needed regarding the attitudes of the Anglo majority towards bilingual education because bilingual education has been surrounded by controversy since its inception, because of the political nature of much of the debate, and because of the recent legislative threats against it.

Studies that document the quality of implementation of programs in Massachusetts are necessary to identify factors that contribute to effective bilingual education practice and to suggest ways to improve less effective existing programs. The use of a case study methodology has proven effective for this purpose.[39]

Teacher training and bilingual education is another area that needs to be investigated. How is Massachusetts training its future teachers to work with the increasing numbers of language minority and immigrant students both in bilingual and regular programs? What training programs exist that can provide continued support to teachers already working in schools with an increasingly diverse student population (i.e. students from different countries, students from different social classes, students who have different levels of literacy)? What is the quality of such training programs? What exists elsewhere that may be a model to improve programs in Massachusetts?

Currently, the University of Massachusetts has the only teacher training program that offers specifically programs in bilingual education. There is a master's program in ESL and bilingual education at the Boston campus and a doctoral program at the Amherst campus. Other institutions offer courses in ESL or in bilingual education but do not have accreditedprograms. Others merely offer teacher certification for bilingual education without offering specific courses in bilingual education teacher training. What are the implications for the quality of bilingual education practice of having just one institution providing an accredited program in bilingual education? What are the implications for the future of bilingual education in this state of providing teacher certification in bilingual education without offering courses specifically geared to bilingual teaching methodology? Are the standards designed by state Department of Education realistic in producing enough teachers who can effectively work in bilingual programs?

## PARENT PARTICIPATION

Latinos, who total 19.4 million people in this country (not including the many undocumented peoples), are mostly an urban people -- 88 percent live in cities.[40] Urban Latino families tend to live in neighborhoods with high crime levels, substandard housing and poor quality schools. The official poverty level in 1988 was $8940. Three out of every eight Latino children live in poverty. The national average for all children is one in five.[41]

The stress of poverty exacerbates the growing problem of the disintegration of the community. "The crisis facing public schools is a crisis of community."[42] The close interaction within our communities between the members of the extended family provide stability for the individual family. Latino parents depend on their extended families and neighbors for many things: to resolve disputes, to provide child care and to provide housing, among other things. Although mired in poverty, the Latino family has many strengths. It serves an important function for children by cushioning the realities of the external world. Children get support and encouragement from family members and can get a sense of control over their lives.[43]

When we were growing up we had significant adults watching over us who included not only our families but our neighbors. We had support from our parents, the people at church and our teachers who told us that we were important and valuable.[44] The negative external messages were offset and counterbalanced by the positive reinforcement (on values of interdependence and on our responsibility to serve others). We need to change the way educators think about parental participation in school; we have to restructure the support in non-racist, culturally-consonant ways that are inclusive and empowering towards the communities the schools serve.

There may be many barriers to parent participation in school besides poverty. Attitudes of both educators and parents may obstruct access. Grant (1981) discusses some of the better known reasons.[45] Parents may have had negative experiences during their own schooling and may feel alienated from the institution. Parents may believe that complaining about a school issue may have ramifications for their children, that the teachers may make the child pay for the parents concerns. From the educators' viewpoint, teachers and administrators may get defensive when a parent complains about the school. Because of the quasi-professional status of teaching, educators may feel there are no rewards for outreach to parents.

### A. Legal Entitlements

The Massachusetts law provides for the creation of parent advisory councils (PACs) to spur parental involvement in schools. It also requires the use of native-speaking teacher aides in classrooms, native-speaking community coordinators to act as liaisons between the school and the parents, native-speaking guidance or pupil adjustment counselors, and the creation of a committee composed of representatives from the school administration, the Transitional Bilingual Education program and the Parent Advisory Committee to evaluate the program on an annual basis.[46]

To assure minimal levels of parental involvement in schools two possible legal strategies could be pursued: the Bilingual Parent Advisory Councils created by Massachusetts law, and the Parent Councils required by the Chapter I regulations. Both structures could help Latino parents gain initial access to schools in order to influence policy decisions essential to the academic success of language minority children. Parents and their children are not consumers of education, but owners of the educational institutions.

### B. Policy Debates

We believe there is an urgent need for Latino parent and community involvement in schools. Grant (1981) states that parents and teachers share common concerns.[47] For example, Latino parents and their children's teachers are interested in Latino children's spiralling educational achievement, about the

increasing numbers of teenage pregnancy and the disproportionate dropout rates. Teachers would benefit from learning more about and understanding the conditions of their students' home experiences, since students learn both in the classroom and at home. Latino parent participation in school would allow parents to empower themselves by gaining knowledge about how schools function.

Grant recommends a number of strategies for teachers to encourage more parent participation in the classroom:

A. At the start of the school year, contact all parents by phone or in person, listen to them, and solicit their views about what they would like for their children;
B. Look into home visits. Is it acceptable in the school community?
C. Hold parent/teacher meetings during the first month of school. Ask for concrete assistance. Ask for topics for curriculum.
D. Have parents share how they have seen their children learn best.
E. Maintain a comfortable, inviting working classroom climate.
F. Introduce parents working in or visiting your class to other staff, to security.[48]

These strategies can be used, with some modifications, to elicit Latino parent involvement in classrooms. The teacher who wishes to reach out to Latino parents may contact a parent liaison to make introductions, may have a person on hand to serve as a translator when a Latino parent visits, may supply someone at school that will care for other children or infants while the parent visits, may make arrangements for transportation for the parent, and may have to be willing to meet after school hours to accommodate working parents.

Another set of strategies that incorporates the participation of parents on a school-wide basis is the work of James Comer (1988). The Comer model "promotes [children's] development and learning by building supportive bonds that draw together children, parents and the school."[49] He believes children that are successful in school have received from their parents the "social skills and confidence that enable them to take advantage of educational opportunities."[50] We need to educate children in the mainstream social skills, Comer says, because their parents have never learned these due to lack of opportunities. This requires trust and confidence between teachers, students and parents. Children's learning and exhibiting of these skills allow teachers to raise their expectations of students.

To foster positive interactions between parents and school staff, Comer's program created a governance and management team composed of parents, teachers, principal, mental health specialists and non-professional support staff. His intervention also included a parent program (described below), and a mental health team composed of the school psychologist, a social worker and a special education teacher. The mental health team would meet regularly to discuss individual cases and to foresee and prevent problems.

Some of the successful models of parent involvement in school follow:

**School-Based Councils:** Parents work on the governance team, share control of the school, collaborate on policy decisions.

**Parent Service Workers:** The school provides training for parents who conduct home visits and make referrals to social service agencies.

**Parent's Program:** These engage parents in academic and social projects, such as, pot luck dinners, book fairs, fashion shows, cultural nights.[51]

**Parent Fundraising:** Parents are invited to contribute skills for fundraising activities. Some parents may sew costumes or band uniforms, some may build a ramp for the school auditorium.

Parent Center: A meeting place for parents to discuss school and community issues.

Parent Classroom Aides: Parents employed to assist in classrooms throughout the school. They can read to children in both Spanish and English, create curriculum materials with teachers, assist during field trips, provide cultural linkages between the school and the home.

### C. Further Research

How can we restructure our schools to support Latino parents? The individualistic ideology promoted in this country makes us believe we have an equal chance at success. But if we ask Latino families and children about gainful employment that pays more than the much-argued-about minimum wage, we will hear in their answers the difficulty of surviving in this country when you are poor and Latino. Instead of blaming the Latino families for the ills of society, educators and policy makers should listen to parents, support parents in their projects, and let parents inform them of their needs without dictating non-relevant solutions. We need to change the way educators and policy makers think about the Latino family; to look at urban, poor Latino families as being the only long standing institution within our communities.

Research is needed on the beliefs and attitudes toward diversity of teachers and administrators concerning Latino families. Often Latino parents do not feel welcomed at their children's school. We need to know more concretely in what ways and how often this happens in order to demand changes from teachers and administrators. The flow of information between the school and the home is vital to a child's success. How are messages sent to the home? Are they translated into Spanish for non-English speaking parents? Comer's work needs to be piloted with Latino parents in predominantly Latino communities, since his programs are geared to Black parent involvement.

Our children come to school with many cultural riches gained at home. Studies should show how the strengths of the home are translated into classroom competence, and how good teachers use children's strengths to build new learning. Studies on how parents working in schools effect student achievement, specifically with Latino parents and children, are necessary. Surveys of the Latino community beliefs, concerns and experiences within the public school system would reveal rich data for mobilizing the community toward school reform. Research into the ways Latino parents help their children at home with school work would dispel the myths that parents don't care about their children's education.

## SCHOOL RESTRUCTURING AND SCHOOL REFORM

Researchers find that low student status and low family income levels result in a qualitatively different school experience for students who come from low socioeconomic backgrounds. Thus treatment received in school (achievement expectations, quality of instruction) is determined by socioeconomic class and by race.[52] How are educational differences observed within schools serving poor Latino communities? In terms of resources, there are different funding formulas per students in predominantly minority school districts. Schools with large Latino populations have meager or non-existence laboratory facilities. Their libraries are often restricted in use and hold outdated books and materials. Tracking severely affects our students: Latino students receive more lower-level work in classrooms. A disproportionate number are placed in special education classes. Few are placed in advanced-level courses. In terms of the quality of the instruction received, Latino students' teachers may be less experienced because of high turnover and budget cutbacks in urban schools. Less instructional time is spent on task because of interruptions, compromises and paperwork. Teacher expectation is lower for Latino students than for Whites, Latino students get called on less in class and receive less positive responses from teachers.

### A. Policy Debates

The school restructuring movement is the latest reform within the educational community. Decentralization of power is basically what restructuring is all about.[53] Restructuring should ideally occur at various levels.

**District wide:** Restrictions placed on individual schools by district have to be loosened. Schools may apply for waivers on some regulations. Schools may be given control over the budgets, and are allowed to make key policy decisions, such as the creation of a school improvement plan and specific programs. In Chicago, all power has been placed at the individual school level with city-wide and district-wide accountability boards.

**Unions:** Some restructuring plans have given the principal authority over the non-teaching staff in her building, i.e. janitors and cafeteria workers. In Chicago and Dade County, the principal can fire teachers. Similarly, the parent-controlled school-based-management team can fire inefficient principals.[54] Chicago schools give ineffective teachers a 45-day warning period that requires them to improve their performance.[55] The president of the American Federation of Teachers favors restructuring schools because it has the potential to professionalize teaching.

**Teachers:** They should have more independence and share in school decision making, but their greater autonomy also requires more accountability. Some restructuring plans have given teachers more control over curriculum development, assessment and evaluation, allowing them to derive a greater sense of professionalism and ownership.

**Community:** Community involvement is an essential element of most school restructuring plans. Parents should be trained in school management and collaborative decision making, and then power is shared with them. Most restructuring plans call for significant parental participation in daily school matters. The belief is that the school community has a vested interest in the development of an effective school for the education of their children.

**Organization of the school:** The belief that smaller is better applies in many restructuring plans. Schools should be reorganized into smaller learning communities or schools within schools. The goal is to provide a more intimate and closely knit learning environment for children and teachers. This requires teachers to give more personalized attention to the children in their cluster.

In most restructuring plans the management of the schools rests with the School-Based Councils, which are formed with representatives from administration, parents, teachers, community service providers and mental health workers. The council decides on budget, mission, programs and policy issues. One of the initial priorities should be the development of a common mission and philosophy for the school that everyone believes in. Thus the staff, parents and community members participate and share a common philosophy. Each representative should be responsible for presenting the results of their collaborative decisions to his or her constituents in the school and community.

Schools that are successful at raising student achievement have clear goals that focus on academic achievement. Everyone in the school believes in the goals and is committed to working towards those goals.[56] The goal of restructuring is to get parents and staff, in conjunction with the administrators, to develop a sense of ownership of the programs in the school.

Limitations of restructuring arise when the basic bureaucratic structures at the district level are not changed, leaving the school without external support from the central office.[57] In addition, the unions and district have to support restructuring or the efforts will be sabotaged. Another limitation stems from ensuring that parents and community members receive sufficient training to be able to make informed and critical decisions. Finally, there is little evidence to date that restructuring plans make any significant changes in the ways teachers teach or in what they teach. For example, in-service training for teachers should occur to address diversity, language and equity issues.

Restructuring has the potential to address the lack of harmony between the cultures of the school and the people it serves. In Chicago the parents hold many seats on the decision-making board. The community can empower itself by controlling its schools; community members can make significant changes in their schools, and make the schools more responsive to the needs of their children. Many plans aim to consolidate the work of community service agencies in schools -- health services, social services -- to result in the merged and complimentary work of these groups.

There exists the possibility to bridge the chasm between the school culture and the community cultures by having the community be a vital part of the school. This may occur at a couple of levels. Allow parents and community members to participate in the life of the school by keeping the building open the entire year and during the evenings for events such as holding community meetings in the school. Schools should be redefined into resource centers for their communities.[58]

For Latino communities the consequence of increased parental involvement in schools may curtail the discrimination against the Latino culture and the lack of understanding of its ways of expression. Since most of our children are presently taught by Anglo teachers, discrimination occurs daily as the cultures clash in schools. Misunderstandings occur on the symbolic level of culture, where one's beliefs and values determine behavior.[59] For example, the Puerto Rican child who helps another finish her work may be reprimanded for cheating or talking in class, while the child is operating from the value Puerto Ricans place on interdependence. Restructuring efforts should proceed concurrently with the opening of schools to the community to ensure close and prolonged contact between teachers and the Latino culture. Teachers and administrators need to be sensitive to the needs of Latino children and their families.

The education of Latino children will improve when we have representatives on school committees to press for our concerns and interests. Throughout Massachusetts the leaders of Latino community, service and educational agencies could meet jointly and agree to campaign statewide in order to mobilize our diverse Latino communities to action. We could effect change in the numbers of elected school committee members with such a mobilization. A model exists in the recent movement to elect Marta Rosa, a parent, to the Chelsea school committee. This effort has to be repeated in city after city throughout Massachusetts. The need for political participation through the elections of Latino school committee members cannot be overstated.

### Teaching and Curricular Reform

On the level of school practices, we can explore how traditional practices in schools may lead to the underachievement of Latino students. Current curriculum reform calls for instituting one standard curriculum and increasing course requirements for graduation. "It is assumed that the core curriculum offers equal standards of quality and that all students have equal chances to succeed or fail."[60] The new tougher standards disregard differences in student needs, cultural and language differences, and the unequal distribution of resources among individual schools. Curricular reform should include the integration of culturally relevant curriculum, teaching directed towards the development of analytic skills, the recognition of cultural and racial diversity as a strength students bring to school, and an attempt to make subject matter more useful and challenging to students, to situate learning within the students real-life situations. Curriculum should focus on the community study and build upon the values and culture the students bring to school.

In addition, the work of teachers in individual classrooms should be monitored to ensure that students receive the high level of instruction needed for success today. Too many studies have found the common level of instruction consisted of a trade-off or a compromise between the teacher and students.[61] The teacher does not demand more from the students as long as the students do not disrupt the class. Lowered expectations turn into beliefs about the students intellectual inferiority. Busy work that reinforces low level skills, such as fill-in worksheets, take the place of dialogic-interactive teaching methods because the latter style demands too much student responsiveness and on extensive teacher preparation. The reform of schools has to be able to account for what goes on inside individual classrooms, otherwise reform may only be window dressing.

### B. Further Research

Although there are many schools that are achieving favorable results in their efforts, many more are failing our students. Restructuring efforts should be examined to identify organizational practices (such as tracking and lowered teacher expectations) within schools that differentiate and stigmatize Latino children. Classroom research is urgently needed to document inequalities in methods and curriculum. The role of Latino communities in schools need more documentation. How does restructuring change the hierarchical relationships between schools and communities, between parents and teachers? Who benefits from restructuring? Do restructured schools respond better to our communities? Do they break down the barriers between schools and parents?

The theory of cultural discontinuities [62] states that vast differences between home culture and school cultures bring incompatible forces to bear on education, and rests its explanatory power on individual student reaction to the conflicts between home and school culture. Further research needs to test the application of this theory with Latino children. Ogbu's hypothesis (1986) finds that students of color response to perceived low status produces a dominated people who have internalized an inferior self-image.[63] Since Ogbu's work focuses on Black students, his studies should be duplicated with Latino families, especially second- and third-generation Latinos.

There is a need to look at the current reform issues within the emerging context. A more holistic approach that examines many variables as part of a larger picture as well as their interrelationship is urgently required. Recent reform efforts should be evaluated by how they answer the following questions: Have the schools been able to address different language and cultural groups? Have urban schools acknowledged and acted on the rapid changes in the social fabric of the U.S. society? Have schools dealt with the socioeconomic issues (or the family issues) of the populations they serve? Are schools addressing the realities of drugs and gang involvement? Are they addressing the high unemployment rates among the Latino population that weaken the motivation for students to stay in school?

## CONCLUDING REMARKS

More research should be conducted on curriculum that is in harmony with the culture of our students, and on methods of teaching that are consistent with how our children relate, and thus learn. For example, we should look at classrooms with traditional ways of teaching and classrooms where cooperative learning techniques are used to determine what methods work best.

Curricular studies should be undertaken to note the effects of particular subject matter and methods on the learning capacity of our students. Such studies should have a comprehensive approach to discern whether the academic offerings are covering what was intended.

Ethnographies and qualitative research are recommended for this type of research; we strongly recommend that students and teachers participate in the research. This could be the first step in engaging them in the actual transformation of their reality.

The urgency of our future work towards the improvement of education for Latino students is related in the following saying:

> Our children begin receiving drops of water on them, like drops hitting a rock, from the time they leave their homes. By the time our children get to the middle school, each child, like the rock, is cut in half.
>
> Edna Suarez Colomba
> Child Specialist

Many of the problems facing Latino students in Massachusetts schools are within the existing authority of the Department of Education to address under Chapter 1, under the Civil Rights Act monitored by the Office of Civil Rights, and under various federal acts regarding special education. Addressing these problems would not require new outpouring of federal monies or new legislation. Continuing these problems will, in the long run, cost us all a great deal more, beginning with the loss of opportunity and hope for our children and community.

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